IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

FRIDAY THE SECOND DAY OF JULY
TWO THOUSAND AND FOUR
: PRESENT:
THE HON'BLE MR. JUSTICE: **E. DHARMA RAO.**

CIVIL REVISION PETITION No. 1796 of 2004

(Petition under Article 227 of Constitution of India to revise the Order dated 05-03-2004 and made in E.A. No. 5 of 2004 in E.P. No. 22 of 2003 in O.S. No. 37 of 1997, on the file of the Court of the Junior Civil Judge, at Huzurabad, Karimnagar District)

Between:

Dasari Muralidhar, S/o. Perumandlu, Occ: Secretary of the Panchayat,
Siresedu Village, Jammikunta Mandal, Karimnagar District.

…..Petitioner

AND

Dasari Sharada Vani, D/o. Muralidhar,
R/o. H.No. 2-6-126, Koratla Mandal, Karimnagar District.

……..Respondent

The petition coming on for hearing, upon perusing the petition and memo of grounds filed herein and the order of the High Court dated 09-04-2004 & 18-06-2004 and made herein and upon hearing the arguments of Mr. B. Narasimha Sharma, Advocate for the Petitioner and of Mr. M. Padmalatha Yadav, Advocate for the Respondent, the Court made the following

ORDER:

"The interim order granted by this Court on 09-04-2004 is vacated on the ground that the petitioner knowing fully well that the respondent has filed caveat on 23-03-2004 no papers were served. Moreover, it is evident from the memo filed in the suit on 26-03-2004 that the respondent has already filed caveat before this Court, and therefore, the petitioner played dialatory tactics in obtaining interim order from this Court. When the petitioner is having knowledge of filing caveat, there is no reason as to why papers were not served and no notice was given while moving lunch motion.

For the foregoing reasons, the conduct of the petitioner is that he is overtly and covertly playing fraud and dilatory tactics before this Court.

Accordingly, the interim stay is vacated.

Mrs. Padmalatha Yadav appears on behalf of the respondent.

Post CRP after two weeks for filing counter by the respondent.

ASSISTANT REGISTRAR

//TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Junior Civil Judge, at Huzurabad, Karimnagar District.
2. Dasari Sharada Vani, D/o. Muralidhar, R/o. H.No. 2-6-126, Koratla Mandal, Karimnagar District.
3. One spare copy.

Ksv

HIGH COURT

Ksv
Date of drafting: 02-07-2004

EDRJ

DATE: 02-07-2004

NOTE:
POST CRP AFTER TWO WEEKS
FOR FILING COUNTER
BY THE RESPONDENT

ORDER

C.R.P. No. 1796 of 2004

VACATING THE INTERIM STAY